

REMARKS

The Office Action dated May 6, 2004 has been reviewed and carefully considered. New claims 24-29 have been added. Claims 1-26 are pending, of which the independent claims are 1, 6, 15, 18, 27-29. Claims 1-3, 6-8, 11, 12, 15 and 16 have been amended. Reconsideration of the claims, as amended and in view of the following remarks, is respectfully requested.

Claims 1-14 stand rejected under 35 U.S.C. 112, second paragraph, due to lack of antecedent basis in the claim for the phrase “operating on said data . . . based on said content.” Independent claims 1 and 6 have now been amended to replace the phrase “the data content” with the phrase “content of said data.” This rewording is intended to put to rest any question of lack of antecedent basis, while retaining the same scope for both claims. The amendment of claims 1 and 6 is believed to overcome the basis for rejection under this section. Claims 1 and 6 have also been amended to correct spelling. In particular “a . . . criteria” has now been changed to read “a . . . criterion.”

Claims 1, 6, 11 and 13-14 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,226,675 to Meltzer et al. (“Meltzer”).

Claim 1 recites:

A method of operating an intelligent digital device (IDD) receiving an eXtensible Markup Language (XML) document containing data and respective Document Type Definition (DTD) describing content of said data, comprising: verifying that a received DTD satisfies a predetermined criterion; and, if said criterion is satisfied, operating on said data based on said content.

Meltzer fails to disclose or suggest, “verifying that a received DTD satisfies a predetermined criterion.

Item 10 cites to lines 38-46 of column 23 in Meltzer, but this passage merely states that the type of a received document is identified, and that the document is parsed based on a stored DTD.

Firstly, however, there is no disclosure of suggestion of a “received DTD” which language explicitly appears in claim 1 of the present invention. Secondly, Meltzer makes no mention or suggestion of verification of a “received DTD” against a predetermined criterion. Thirdly, Meltzer makes no mention or suggestion of “if said criterion is satisfied, operating on said data based on said content.” For at least all of the above reasons, Meltzer fails to anticipate the invention as recited in claim 1.

Reconsideration and withdrawal of the rejection is requested.

Claim 6 recites, “when the respective DTD for the generated XML document satisfies a predetermined criterion, operating on said data contained in the XML document at the second IDD based on said content.”

Meltzer makes no disclosure or suggestion of a DTD satisfying “a predetermined criterion.” Nor is there any disclosure or suggestion of “operating on said data contained in the XML document” “when” the DTD satisfies a predetermined criterion. For at least these reasons, Meltzer fails to anticipate the invention as recited in claim 6. Reconsideration and withdrawal of the rejection is requested.

Claims 2-5, 7-10 and 12 stand rejected under 35 U.S.C. 103(a) as unpatentable over Meltzer in view of U.S. Patent No. 6,519,597 to Cheng et al. (“Cheng”).

Cheng cannot make up for the deficiencies in Meltzer.

Item 12 of the Office Action cites a number of passages in Cheng, and suggests that the limitations particular to item 2 are met. A review of the passages shows that there is no basis for this suggestion. Moreover, the deficiencies in Meltzer are not addressed.

Cheng, at best, merely discloses checking that a received DTD satisfies a predetermined criterion, i.e., whether the DTD already exists in the reference table. If the DTD is not in the table, the DTD is then added. If, on the other hand, the DTD is already in the table, there is no need to add the DTD to the table. There is no disclosure or suggestion of any operating on an XML document contingent upon whether the DTD was already in the table. There is also no disclosure or suggestion, in Cheng, of any verification that a received DTD satisfies a predetermined criterion. Cheng merely checks to see if the criterion is met.

In particular, it would not have been obvious to modify Meltzer in view of Cheng to feature, “verifying that a received DTD satisfies a predetermined criterion; and, if said criterion is satisfied, operating on said data based on said content.” For at least this reason, claims 1 and 6 are not rendered obvious by Meltzer in view of Cheng. The same holds true for dependent claims 2-5, 7-10 and 12, although each warrants further consideration based on its additional, individual merits. Reconsideration and withdrawal of the rejection is requested.

Claim 15 stands rejected under 35 U.S.C. 103(a) as unpatentable over Meltzer in view of International Patent Application No. WO 99/57837 to Humpleman et al. (“Humpleman”).

Claim 15 recites, “when said respective DTD satisfies a predetermined criterion, parsing said data in accordance with a format described in said respective DTD to thereby generate parsed data.”

Meltzer fails to disclose or suggest any checking as to whether a DTD “satisfies a predetermined criterion.” Moreover, although Meltzer discloses parsing, there is no disclosure or suggestion of parsing “when said respective DTD satisfies a predetermined criterion.” For at least these reasons, the proposed combination of prior art references fails to render obvious the invention as recited in claim 15.

Reconsideration and withdrawal of the rejection is requested.

Claims 16-17 stand rejected under 35 U.S.C. 103(a) as unpatentable over Meltzer in view of Humpleman and Cheng.

Claims 16 and 17 depend from claim 15, and, as set forth above, Cheng cannot compensate for the shortcomings in Meltzer and Humpleman.

Claims 18-23 stand rejected under 35 U.S.C. 103(a) as unpatentable over Meltzer in view of Humpleman and Cheng.

Item 15 of the Office Action cites passages in Meltzer purportedly to support the proposition that Meltzer discloses limitations of claim 18, namely:

“a second IDD stores N XML processors associated with N named DTDs;
and

a third IDD stores M XML processors associated with M named DTDs.”

The passages cited by the Office Action do not, however, support the proposition apparently being advanced by the Office Action, that Meltzer discloses or

suggests the above-quoted limitations of claim 18. Neither do either of the other two references being applied in the instant rejection of claim 18.

There is no apparent way of combining the three references that could properly be said to render claim 18 obvious. Reconsideration and withdrawal of the rejection is respectfully requested.

The remaining rejected claims each depend from one of the independent claims, and are deemed patentable for at least the same reasons.

Claims 24-29 are added to emphasize aspects of what the applicant regards to be the invention. Claims 24-25 find support in originally-filed claim 1 and in page 12, lines 19-25 of the specification. Claim 26 finds support in originally-filed claim 6 and in page 12, lines 19-25 of the specification. Claims 27 and 28 are, respectively, device and system claims that correspond to claims 1 and 6. Support for claims 27 and 28 is found in the specification (e.g., page 12, line 19 – page 13, line 29). Claim 29 is a software claim corresponding to method claim 1, and finds support in the specification (e.g., page 10, lines 5-19).

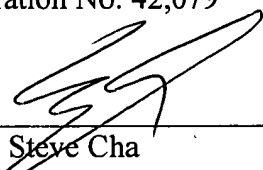
A check for $(3 \times \$18.00) + (3 \times \$86.00) = \$312.00$ is enclosed in payment of the fee for new claims 24-29.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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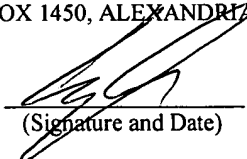
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